

PATENT COOPERATION TREATY

PCT

**COMMUNICATION IN CASES FOR WHICH
NO OTHER FORM IS APPLICABLE**

From the INTERNATIONAL BUREAU

To:

VOSSIUS & PARTNER

Siebertstrasse 4

81675 Munich

ALLEMAGNE

EINGEGANGEN

Vossius & Partner

13. Jan. 2005

Frist
bearb.:

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Date of mailing (<i>day/month/year</i>) 03 January 2005 (03.01.2005)	
Applicant's or agent's file reference H2495 PCT S3	REPLY DUE see paragraph 1 below
International application No. PCT/EP2004/009281	International filing date (<i>day/month/year</i>) 18 August 2004 (18.08.2004)
Applicant <p style="text-align: center;">GLYCOTOPE GMBH</p>	

1. ☐ REPLY DUE within _____ months/days from the above date of mailing
- ☐ NO REPLY DUE, however, see below
- ☒ IMPORTANT COMMUNICATION
- ☐ INFORMATION ONLY

2. COMMUNICATION:

Attention: Hans-Rainer Jaenichen

Following your letter dated 03 December 2004 (03.12.2004), please note that 4 sheets concerning deposited microorganism were already filed with the international application. Please clarify if the declaration concerning the deposit of biological material that was enclosed with your letter should be added to the 4 pages originally filed.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 338.70.80	Authorized officer <p style="text-align: center;">Alexandre BOUVIER</p> Telephone No. (41-22) 338.87.65
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VOSSIUS & PARTNER

Patentanwälte Rechtsanwälte

Via Telefax - 1 page(s)
Fax-No. 0041-22-733-7080

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Organisation Mondiale de la
Propriété Intellectuelle
Attn. : Alexandre Bouvier
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Partnerschaftsregister Amtsgericht München PR 89

PCT-Patent Application PCT/EP2004/009281
Glycotope GmbH
Our Ref.: H2495 PCT S3

January 4, 2005
JAE/GW/ELH

Dear Mr. Bouvier,

We would like to refer to the Communication dated January 3, 2005 in connection with the above-captioned international PCT-application.

Please note that the declaration filed with our petition of December 3, 2004 should become part of the file. Accordingly, it should not be added to the application as originally filed that, we assume, will be published soon or has already been published.

If any questions arise with respect to the above, please feel free to contact us at any time.

Respectfully submitted,


Dr. Hans-Rainer Jaenichen
European Patent Attorney

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PCT/EP2004/009281
Glycotope GmbH
Our Ref.: H2495 PCT S3

December 3, 2004
JAE/GW/AWE

Enclosed please find for your information a copy of our today's letter and its enclosures to the International Bureau of WIPO in the present case.

Respectfully submitted,



Dr. Hans-Rainer Jaenichen
European Patent Attorney

Enclosure:
as mentioned

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Partnerschaftsregister Amtsgericht München PR 89

PCT/EP2004/009281
Glycotope GmbH
Our Ref.: H2495 PCT S3

December 3, 2004
JAE/GW/AWE

Reference is made to the above-captioned PCT-application.

Pursuant to Rule 13bis.4 PCT we herewith provide a Declaration concerning the deposit of biological material, which is referred to in the present application. In particular, the depositor of the biological material authorizes the applicant of the present application to refer to the deposited biological material and gives its unreserved irrevocable consent to the applicant of the present application that the deposited biological material described therein be made available to the public in accordance with Rule 28(1)(d) EPC.

Respectfully submitted,



Dr. Hans-Rainer Jaenichen
European Patent Attorney

Enclosure:

Declaration concerning the
deposit of biological material

cc: EPO

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PCT/EP2004/009281
Glycotope GmbH
Our Ref.: H2495 PCT S3

Declaration concerning the deposit of biological material

In connection with the present application, biological material has been deposited with the Deutsche Sammlung für Mikroorganismen und Zellkulturen GmbH ("DSMZ") August 14th, 2003. The DSMZ is located at the Mascheroder Weg 1b, D-38124 Braunschweig, Germany. The deposits were made pursuant to the terms of the Budapest treaty on the international recognition of the deposit of microorganisms for purposes of patent procedure.

In particular, the cell lines "NM-D4" and "NM-F9" have been deposited and have been allocated the deposit numbers DSM ACC2605 and DSM ACC2606.

The NM-F9 and NM-D4 cell lines have been deposited by Nemod Biotherapeutics GmbH & Co. KG, Robert-Rössle-Strasse 10, 13125 Berlin, Germany (hereinafter referred to as "the depositor") who authorises the applicant of the present application to refer to the deposited biological material described herein and give its unreserved and irrevocable consent to the applicant of the present application that the deposited biological material described herein be made available to the public in accordance with Rule 28(1)(d) of the European Patent Convention.

Berlin, 22.11.04

(Place and date)

Dr. Andreas Hey

(Signature of the depositor)

(Dr. ANDREAS HEY)